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Notice of Allowability

Application No.

10/706,647

Examiner

Toniae M. Thomas

Applicant(s)

KIM ET AL.

Art Unit

2822

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 29 Nov 2004.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☒ The drawings filed on 12 November 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/052,721.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 02062005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Mary Wilczewski
Primary Examiner

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Elizabeth A. Stanek on 02 February 2005.

Amendment

3. The application has been amended as follows:

In claims

Claim 1, line 10, --, such that a portion of the second insulating layer remains on an upper surface of the first insulating layer-- has been inserted after "substrate" and before ".";

Claim 5, line 10, --, such that a portion of the second insulating layer remains on an upper surface of the first insulating layer-- has been inserted after "substrate" and before ";;";

Claim 9, line 20 --, such that a portion of the third insulating layer remains on an upper surface of the first insulating layer and an upper surface of the

second insulating layer-- has been inserted after
“substrate” and before “.”.

Reasons for Allowance

4. The following is an examiner's statement of reasons for allowance: the prior art of record does not anticipate or render obvious a method for fabricating an integrated circuit device substantially as claimed. For example, Woo et al. (US 5,262,352), which was made of record in the previous Office action mailed on 25 August 2004, discloses a method for fabricating an integrated circuit device. As explained in the detailed action, the method comprises: forming a first insulating layer on a microelectronic substrate, the substrate having a conductive layer formed thereon, and the first insulating layer including an overhanging portion that extends beyond the conductive layer; and forming a second sidewall insulating region disposed laterally adjacent a sidewall of the conductive layer and extending between the overhanging portion of the first insulating layer and the substrate. In addition, Woo et al. discloses etching a second insulating layer to form the second sidewall insulating region. However, the prior art of record fails to anticipate, teach or suggest etching a second insulating layer to form the second sidewall insulating region substantially as claimed, such that a portion of the second insulating layer remains on an upper surface of the first insulating layer.

5. In addition, the amendment filed on 29 November 2004 has overcome the following objection(s) and/or rejection(s) made of record in the previous action:

Art Unit: 2822

the objection to claim 5, and the rejection of claims 3, 7, and 11 under 35 USC 112, second paragraph. Accordingly, the objection and rejection are withdrawn.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toniae M. Thomas whose telephone number is (571) 272-1846. The examiner can normally be reached on Monday-Thursday from 8:30 a.m. to 5:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amir Zarabian can be reached on (571) 272-1852. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



TMT

06 February 2005

Mary Wilczewski
Primary Examiner